IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 2755 (S/S) of 2001
(Old No. 40549 of 2000)

Gulabi Ram,
S/o Sri Merhai Lal,
R/o Gular Bhoj,
District – Udham Singh Nagar **… Petitioner.**

Versus

1. State of Uttar Pradesh though Secretary Home, U.P., Secretariat, Lucknow.
2. The Deputy Inspector General of Police, Kumaon Region, Nainital.
3. Senior Superintendent of Police, Nainital.

….Respondents.

Hon'ble M.M. Ghildiyal, J

Heard Sri Subhash Upadhyay, learned counsel for the petitioner and Sri Paresh Tripathi & Sri N.P. Shah, learned standing counsel for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

i. issue a writ, order or direction in the nature of Mandamus commanding the respondents to pay the dues of petitioner.

ii. Issue any suitable writ, order or direction in the nature of commanding the respondents to fix pension of petitioner as petitioner has served in the police department for more than 25 years.

iii. Issue a writ, order or direction, which this Hon'ble Court may deem fit and proper.

During the course of argument learned counsel for the petitioner has submitted that petitioner was dismissed from service on 19.11.1988. The said removal order was upheld by the Hon'ble Apex Court.

Learned counsel for the petitioner has further submitted that amount of GPF and leave encashment has already been paid to the petitioner.

Since the petitioner is removed from service as such, he is not entitled to get pensionary benefit and payment of leave encashment and GPF has already been made, now petitioner is not entitled for any other benefit.

Writ petition is devoid of merit as such, is dismissed. No order as to costs.

(MM. Ghildiyal, J)

November 27, 2006
SKSharma